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15 Attorneys for Defendant
16 **DISCORD INC.**

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID A. STEBBINS,
Plaintiff,
v.
KARL POLANO, et al.,
Defendants.

Case No.: 21-cv-04184-JSW

The Honorable Jeffrey S. White

**DEFENDANT DISCORD INC.'S
CONSENT MOTION TO EXTEND
TIME TO RESPOND TO AMENDED
COMPLAINT PURSUANT TO
LOCAL RULE 6-3**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Civil Local Rule 6-3, Defendant Discord Inc. (“Discord”), by and through its undersigned counsel, respectfully submits this Motion for an Extension of Time to Respond to the Amended Complaint. In support of this motion, Discord states as follows:

1. On June 2, 2021, Plaintiff filed a Complaint the above-entitled matter.
2. On July 29, 2021, Plaintiff filed an Amended Complaint (“FAC”).
3. On August 25, 2021, Discord was served with a copy of the Summons and FAC.
4. Discord’s current deadline to respond to the FAC is September 15, 2021.
5. On September 10, 2021, Discord’s counsel communicated with Plaintiff by email and telephone to request an extension of time to respond to the FAC. *See* Declaration of James Orenstein (“Orenstein Decl.”), ¶ 2.

6. Plaintiff has graciously agreed to an extension of the deadline for responding to the First Amended Complaint to a date 15 days after the latest of:
 - a. resolution of the Plaintiff’s motion for leave to file Second Amended Complaint, ECF 38;
 - b. the filing of Plaintiff’s Second Amended Complaint, in the event the Court grants leave to file; or
 - c. service of process on defendant Polano (or the expiration of the time for such service).*See* Orenstein Decl., ¶ 3.

7. Justification and good cause exist to extend the deadline for Discord to answer, move or otherwise respond to the FAC. Such justification and good cause include allowing Discord to complete review of the operative complaint and prepare an appropriate response.

1 8. The extension will not alter the date of any event or deadline already fixed by Court
2 order. This is Discord's first and only request for an extension of time, and no other defendant has
3 answered or otherwise responded to the FAC.

4 DATED: September 10, 2021

ZWILLGEN PLLC

6 By: /s/ James Orenstein

7 James Orenstein

8 Attorney for Defendant Discord Inc.